

Attention: Advisory Committee on Child Support guidelines

Meeting: February 12<sup>th</sup>, 2021

Time: 10:00 am

Via: Zoom Conference

Topic: Rule 32

My name is Lee Wood. I would like to say thank you for giving me the opportunity to offer an opinion not on behalf of myself, but on behalf of all non-custodial parents whom these subjects negatively impact.

There are several items in which I would like to address regarding the Rule 32 child support calculation and ask that you take a closer look at when calculating the child support payment formula.

1. Tax exemptions: Rule 32 has the custodial parent taking the federal and state income tax exemptions for the children in his or her custody. I do understand that the non-custodial parent may not get the full benefits that the custodial parent gets because of the 2018 tax reform; however, if child support is based off of gross income/before taxes then it is only fair that the non-custodial parent be allowed to claim the child at least every other year. Non-custodial parents are being taxed on the money. Otherwise the net income/after taxes should be used in calculating the child support amount.
2. Health-care cost & Step-parent's income: Rule 32 allows a child to be added to a step-parent's health-care policy/family plan policy yet their household income is not included in the custodial parent's gross income. If a step-parent is allowed to add a step-child to their health-care cost then why is their income not included as part of the custodial parent's gross income? Adding a step-child to a family plan does not increase the premiums. All family plan premiums are the same regardless if you have 2 or 200 covered under the same plan. You still pay the same amount for a family plan policy. Now, the non-custodial parent is having extra added into the child support calculation while not costing the custodial parent any extra at all. I understand it's not based off the full family premium amount, but divided by the number of dependents. However, adding this calculation to the formula as part of child support is not fair because it is not costing any extra to have a step-child added to a family plan. However, not including the step-parent's gross income with the custodial parent's gross income does allow a significant advantage for the custodial parent especially when the child is taken off of the Medicaid program because the total household income.
3. Percentage Share of Income: Why is the percentage share of income not equal to both parents? I understand the child is in the home of the custodial parent more, but it is not by the non-custodial parent's choice. The non-custodial parent still has to provide for the child during the visitation allowed. The percentage calculation now does not leave room to provide clothing, shoes, medicine, etc. for both houses. An example: the non-custodial parent's monthly income is \$3,500 and the custodial parent's monthly income is \$2,050 for a gross income of \$5,550. The non-custodial parent is required to pay 63% ( $3500/5550=.63$ ) while the custodial parent is only 37% ( $2050/5550=.37$ ). Once you add child-care and insurance cost the non-custodial monthly child support obligation is \$850 a month for one child. The Appendix to Rule 32-Schedule of Basic Child-Support Obligations pushes the non-custodial parent into poverty and impossible to

survive on their own much less provide housing, food or extra activities for the child during their visitation time which is exercised. While the custodial parent is able to have a new home built, drive big fancy SUVs, and give the child big luxurious gifts (name brand clothing and shoes, private schooling, ATV's, etc.) because of receiving so much in child support payment. I'm asking that the committee please reconsider how this formula is calculated to a more 50/50 bases. The 50/50 bases would allow the non-custodial parent a little chance of providing for the child during visitation time. At this time the non-custodial parent is set up for failure, financial ruin, and even pushed into being homeless due to being bled dry while the custodial parent has way more than needed.

4. Visitation time: Why does the visitation time amount not a factor in the formula? Millions of parents go with very little visitation time (4 days a month-every other weekend, 2-3 weeks in the summer, and maybe a couple of holiday's throughout the year) with their child due to force or an opposing parent casting them outside. Yet, the non-custodial parent still has to pay the full obligation of child support. The visitation time should be part of the child support formula as well.

In closing I again want to thank you for allowing me this time with the committee. I sincerely hope the committee will take a further look at making changes to the child-support formula with the tax exemption, health-care cost, step-parents gross income, percentage share of income, and visitation time. As we all are looking out for the best interest of the children.

Sincerely,

*Lee Wood*

Lee Wood

Note – these concerns are based off of joint legal custody but full physical custody  
\*definition

- 1) Custodial parent – mother
- 2) Non-Custodial parent – father